

REMARKS

The Amendments

Claim 1 is amended to recite that the polymer contains at least two of the units indicated by subscripts x1, x2, and x3. New independent claims 6, 9 and 13 have been added each directed to some of the subject matter from original claim 1. Claim 6 is directed to polymers having a unit indicated by the subscript x1 and an acid labile group, R^{21} , defined by the indicated formulae (L1) to (L4). Claim 9 is directed to polymers having a unit indicated by the subscript x2 and an unrestricted acid labile group, R^{21} . Claim 13 is directed to polymers having a unit indicated by the subscript x3 and an acid labile group, R^{21} , defined by the indicated formulae (L1) to (L4). Dependent claims corresponding to original claims 3 and 4 are provided for each new independent claim. And new dependent claims 5 and 10 are added dependent on claims 1 and 9 reciting the more defined acid labile group.

To the extent that the amendments avoid the prior art or for other reasons related to patentability, competitors are warned that the amendments are not intended to and do not limit the scope of equivalents which may be asserted on subject matter outside the literal scope of any patented claims but not anticipated or rendered obvious by the prior art or otherwise unpatentable to applicants. Applicants reserve the right to file one or more continuing and/or divisional applications directed to any subject matter disclosed in the application which has been canceled by any of the above amendments.

The Rejection under 35 U.S.C. § 102

The rejection of claims 1-4 under 35 U.S.C. § 102, as being anticipated by Nozaki (U.S. Patent No. 5,968,713) is respectfully traversed.

Nozaki fails to disclose a polymer meeting the elements for the polymers of any of the current independent claims. The Office Action states that there are examples from Nozaki of polymers which meet the recitations of the units indicated by x1 with an adamantyl acid labile group and x3 with a t-butyl acid labile group. These examples are not within the scope

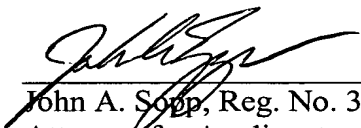
of the instant claims. Amended claim 1 recites a polymer having at least two of the each of the units denoted by x1, x2 and x3 and, thus, is not met by polymer having only one or the other of the x1 or x3 units. New independent claims 6 and 13 more precisely define the acid labile group, R²¹, and the definition thereof does not include either an adamantyl or t-butyl group. Note that the formula (L4) for R²¹ does not encompass adamantyl. Although the formula encompasses additional fused rings from the substituents, the bridging group (i.e., the one with the R^{L13} and R^{L14} substituents) bridges carbons from the same six membered ring not from different six membered rings, as is the case for an adamantyl group. New independent claim 9 requires a unit denoted by the x2 subscript. Nozaki discloses no polymer having such units.

Accordingly, since Nozaki fails to describe any embodiment meeting the recitations of any of the claims, it cannot anticipate the instant claims and the rejection under 35 U.S.C. § 102 should be withdrawn.

It is submitted that the claims are in condition for allowance. However, the Examiner is kindly invited to contact the undersigned to discuss any unresolved matters.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


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